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February 25, 2008

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, MD 20743

re: EB Docket No. 06-36

Dear Ms. Dortch:

Please find enclosed an original and five (5) copies of the CPNI Compliance Certificate and the Accompanying Statement requirements for Lincoln County Telephone Systems, Inc., TRS #801198.

Please return a stamped copy in the enclosed SASE. If there are any questions, I may be reached on 503-612-4400.

Sincerely,

Carsten Koldsbaek
Consulting Manager

Enclosures

Copies to:
Federal Communications Commission
Enforcement Bureau
445 - 12th Street SW
Washington, DC 20554

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Washington, DC 20554

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Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2007

Date filed: February 25, 2008

Name of company covered by this certification: Lincoln County Telephone System, Inc.

Form 499 Filer ID: 801198

Name of signatory: John Christian

Title of signatory: President

I, John Christian certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any action against data brokers in the past year. To the best of our knowledge, no pretexters have attempted to access CPNI at our company.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed _____

John Christian

**Lincoln County
Telephone System**
25 Main Street
P.O. Box 150
Pioche, NV 89043
www.lctsys.com

Phone: (775) 962-5131
In Lincoln County: Dial 611
Fax: (775) 962-5593
Outside Lincoln County:
1-800-340-4131



February 25, 2008

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Reference: EB Docket No. 06-36; Annual CPNI Certification Filing of Lincoln County Telephone System, Inc.

Dear Ms. Dortch:

Enclosed is the 2007 CPNI Certification filing of Lincoln County Telephone System, Inc. (LCTS) (TRS # 801198) in response to the Commission's April 2, 2007 order in CC Docket No. 96-115 and WC Docket No. 04-36. This certification is required by section 64.2009(e) of the Commission's rules.

During the year 2007, LCTS did not detect any data broker activity regarding the CPNI of any customer of LCTS. As a result, LCTS did not undertake any legal or regulatory actions against data brokers.

The enclosed Procedures and Policies manual of LCTS provides guidance to the employees of LCTS for protecting the confidentiality of CPNI. This manual also includes the disciplinary procedures applicable to the improper disclosure of CPNI, the processes used to ensure that the opt-out elections are recorded and followed and other measures relevant to demonstrating compliance with the CPNI rules. All employees of LCTS, who have access to CPNI, were provided training in the use of the manual during 2007. LCTS takes very seriously its responsibilities in protecting the CPNI of its customers.

LCTS does not have any new information to report to the Commission regarding the processes that pretexters use to attempt to access the CPNI of customers.

There were no customer complaints concerning the unauthorized release of CPNI recorded for the year 2007.

**Lincoln County
Telephone System**
25 Main Street
P.O. Box 150
Pioche, NV 89043
www.lctsys.com

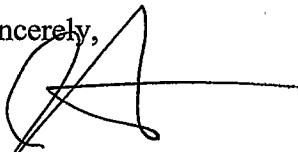
Phone: (775) 962-5131
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Fax: (775) 962-5593
Outside Lincoln County:
1-800-340-4131

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
February 25, 2008
Page 2

There were no security issues or customer complaints at LCTS that would be cause for providing a redacted version of this filing.

Please contact me with any questions or concerns.

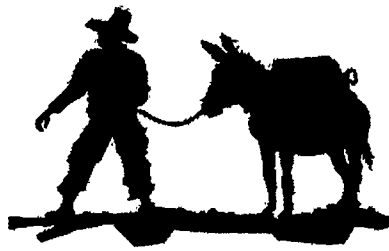
Sincerely,

A handwritten signature in black ink, appearing to be 'John Christian', with a long horizontal line extending to the right.

John Christian
Its: President

enclosures

cc: Byron McCoy, byron.mccoy@fcc.gov
Best Copy and Printing, Inc. (BCPI), fcc@bcpiweb.com



LCTS

CPNI

POLICIES & PROCEDURES

MANUAL

Approved by:

President

Date

Effective: _____

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Definitions

This Lincoln County Telephone System, Inc. (hereinafter LCTS) CPNI policy manual relies on the following definitions:

- (1) **Account information.** "Account information" is information that is specifically connected to the customer's service relationship with LCTS, including such things as an account number or any component thereof, the telephone number associated with the account, or the bill's amount.
- (2) **Address of record.** An "address of record," whether postal or electronic, is an address that the carrier has associated with the customer's account for at least 30 days.
- (3) **Affiliate.** The term "affiliate" means a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another to own an equity interest (or the equivalent thereof) of more than 10 percent.
- (4) **Breach.** When a person, without authorization or exceeding authorization, has intentionally gained access to, used, or disclosed CPNI.
- (5) **Call detail information.** Any information that pertains to the transmission of specific telephone calls, including, for outbound calls, the number called, and the time, location, or duration of any call and, for inbound calls, the number from which the call was placed, and the time, location, or duration of any call.
- (6) **Communications-related services.** The term "communications-related services" means telecommunication services, information services typically provided by LCTS and services related to the provision or maintenance of customer premises equipment.
- (7) **Customer.** A customer of LCTS is a person or entity to which LCTS is currently providing service.
- (8) **Customer premises equipment (CPE).** The term "customer premises equipment (CPE)" means equipment employed on the premises of a person (other than a carrier) to originate, route, or terminate telecommunications.
- (9) **Customer Proprietary Network Information.** The term "customer proprietary network information" means –
 - (A) information that relates to the quantity, technical configuration, type, destination, and amount of use of a telecommunications service subscribed to by any customer of LCTS, and that is made available to LCTS solely by virtue of the LCTS-customer relationship; and
 - (B) information contained in the bill pertaining to telephone exchange service or telephone toll service received by a customer of LCTS; except that such term does not include subscriber list information.
- (10) **Data broker.** A person or business that offers for sale CPNI obtained by pretexting.

- (11) **Data bureau.** A company that provides information technology services to telecommunications carriers, specifically billing services and customer record detail. Data bureaus typically have access to call detail CPNI (see Independent contractor).
- (12) **FCC.** The acronym "FCC" refers to the Federal Communications Commission.
- (13) **Independent contractor.** Any person or business that may provide services to telecommunications carriers. This includes, but is not limited to; joint venture partners and independent contractors for the purposes of marketing communications-related services to a customer; billing services; customer record detail; central office equipment vendors; engineering; and construction. Independent contractors typically have access to call detail and/or non-call detail CPNI.
- (14) **Information services typically provided by LCTS.** The phrase "information services typically provided by LCTS" means only those information services that are typically provided by LCTS, such as Internet access or voice mail services. Such phrase "information services typically provided by LCTS," as used in this manual, shall not include retail consumer services provided using Internet website (such as travel reservation services or mortgage lending services), whether or not such services may other wise be considered to be information services.
- (15) **Joint venture partners (short term alliances of telecommunications carriers) and independent contractors (see Independent contractors) for the purposes of marketing communications-related services to a customer.** A specific subset of persons or businesses that provide marketing services to telecommunications carriers. Any marketing use of CPNI by this subset must have opt-in approval by the affected customers.
- (16) **Local exchange carrier (LEC).** The term "local exchange carrier (LEC)" means any person that is engaged in the provision of telephone exchange service or exchange access. Such term does not include a person insofar as such person is engaged in the provision of a commercial mobile service under section 332(c) of TA-96, except to the extent that the Commission finds that such service should be included in the definition of such term.
- (17) **Opt-in approval.** The term "opt-in approval" refers to a method for obtaining customer consent to use, disclose, or permit access to the customer's CPNI. This approval method requires that LCTS obtain from the customer affirmative, express consent allowing the requested CPNI usage, disclosure, or access after the customer is provided appropriate notification of the LCTS's request consistent with the requirements.
- (18) **Opt-out approval.** The term "opt-out approval" refers to a method for obtaining customer consent to use, disclose, or permit access to the customer's CPNI. Under this approval method, a customer is deemed to have consented to the use, disclosure, or access to the customer's CPNI if the customer has failed to object thereto within the waiting period described after the customer is provided appropriate notification of LCTS's request for opt-out consent consistent with the rules.

- (19) **Password.** The term "password" means a secret word or sequence of alpha and numeric characters which is used to limit access to a customer's account to authorized individuals.
- (20) **Pretexting.** The term "pretexting" means the practice of pretending to be a particular customer or other authorized person in order to obtain access to that customer's call detail or other private communications records.
- (21) **Readily available biographical information.** "Readily available biographical information" is information drawn from the customer's life history and includes such things as the customer's social security number, or the last four digits of that number; mother's maiden name; home address; or date of birth.
- (22) **Subscriber list information (SLI).** The term "subscriber list information" means any information –
(A) identifying the listed names of subscribers of LCTS and such subscribers' telephone numbers, addresses, or primary advertising classifications (as such classifications are assigned at the time of the establishment of such service), or any combination of such listed names, numbers, addresses, or classifications; and
(B) LCTS or an affiliate has published, caused to be published, or accepted for publication in any directory format.
- (23) **LCTS or carrier.** The terms "Lincoln County Telephone System, Inc.," "LCTS," or "carrier" shall have the same meaning. [*If applicable* - For CPNI this term shall include provision of interconnected VoIP service.]
- (24) **Telecommunications service.** The term "telecommunications service" means the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.
- (25) **Telephone number of record.** The telephone number associated with the underlying service, not the telephone number supplied as a customer's "contact information."
- (26) **Valid photo identification.** The term "valid photo identification" means an official identification document issued by a federal or state governmental agency that identifies the holder of the document that includes a photograph of sufficient clarity to positively identify the holder of the document.

Company Policy Regarding CPNI

LCTS may use, disclose, or permit access to CPNI for the purpose of providing or marketing service offerings among the categories of service (*i.e.*, local, long distance, and CMRS (wireless)) to which the customer already subscribes from LCTS, without customer approval. LCTS provides local service, intra-company long distance service, and its affiliate, WUE, Inc., owns wireless spectrum and facilities.

As regards WUE, Verizon Wireless has the customers and provides the services that require access to CPNI, specifically billing services. LCTS typically does not have access to any wireless customer's CPNI unless that customer is aware of the relationship between WUE and LCTS and chooses to share their CPNI with an LCTS employee. LCTS does not use CPNI to actively market wireless service to its customers, but will assist its customers in obtaining wireless service from Verizon Wireless.

LCTS has chosen not to use CPNI data that enables the company or its affiliates to market additional products or services. Accordingly, LCTS's personnel are trained not to use CPNI for such purposes. Because CPNI is not used for marketing purposes, LCTS has established the appropriate safeguards for this type of treatment (non-use) of CPNI data. These safeguards include documentation of this policy in this manual and training of LCTS personnel with regard to non-use of CPNI data.

If LCTS later decides to utilize CPNI for marketing and uses opt-out approval, it has established a procedure (Form 10) to notify the FCC in writing within five days of any instance when its opt-out policies do not work properly, to such a degree that the customer's inability to opt-out is more than an anomaly.

In this effort, the Company must follow all applicable FCC rules as contained in Subpart U – Customer Proprietary Network Information – of Part 64 of Title 47 of the Code of Federal Regulations. Specific LCTS procedures are as follows:

BUSINESS CUSTOMER EXEMPTION

LCTS has no business customers that would qualify for the business customer exemption.

ACCESS TO CPNI DATA

Access to CPNI data is limited to employees or entities with the requisite proper authorization as allowed by FCC rules. Any employees or entities with CPNI access must operate under policies that require nondisclosure of confidential information. Improper use or disclosure of CPNI by employees is subject to disciplinary action up to and including termination.

Marketing Programs

No LCTS marketing campaigns are related to CPNI. As a logical outcome of this policy, LCTS uses neither opt-in nor opt-out approval from customers with regard to any marketing.

Contact the President if you are uncertain as to the type of information you can use in marketing services to customers.

CUSTOMER NOTICE AT INITIATION OF SERVICE

Customers are informed during the initiation of service with LCTS that their CPNI data is not used for marketing purposes. Customers receive annual reminders (Form 8-W) of this CPNI policy.

CUSTOMER NOTICE

Adequate notice with respect to customer CPNI rights and LCTS's duty to protect CPNI is provided in LCTS's telephone directory. In addition, a CPNI notice is printed periodically on the customer's billing statement.

RECORD OF CUSTOMER COMPLAINTS CONCERNING THE UNAUTHORIZED RELEASE OF CPNI

All customer complaints concerning the unauthorized release of CPNI will be logged (Form 9) and retained for a period of five years. This information is summarized and included with LCTS's annual certification to the FCC.

Release of Call Detail Information (Forms 7-W & 8-W)

CUSTOMER INITIATED TELEPHONE ACCOUNT ACCESS

Release of any CPNI information requested by the customer via a telephone call is prohibited except when:

- ☐ the requesting individual provides the password of record; or
- ☐ the information will be sent via mail USPS to the customer's address of record; or
- ☐ LCTS will call the telephone number of record and disclose the call detail information.

If the customer has forgotten their password or does not have a password established, LCTS can proceed with routine customer care procedures if the customer can provide all of the call detail information. LCTS will not disclose any call detail other than the information the customer disclosed during that particular contact.

RETAIL LOCATION ACCOUNT ACCESS

Customers or their authorized contacts as allowed by the Telecommunications Act of 1996 – Section 222(c)(2) must have a valid, government issued photo identification, such as a driver's license, passport, or comparable ID to obtain CPNI information.

ON-LINE ACCOUNT ACCESS

LCTS requires an on-line password to protect on-line access to CPNI. Passwords will be designed by the customer and will consist of alpha and numeric characters. On-line passwords are not required if the customer chooses to receive call detail information via either of the two methods above.

LCTS will authenticate both new and existing customers seeking on-line access to their CPNI.

LCTS can reinitialize existing passwords for on-line access but will NOT base on-line access on readily available biographical or account information. This procedure will relate to all customer information, not just call detail.

On-line access to CPNI will be blocked after five (5) unsuccessful attempts to log on in a ten minute span.

NOTIFICATION OF ACCOUNT CHANGES

LCTS will notify (Form 5) any customer immediately of any account changes including password, customer response to company designed back-up means of authentication, on-line account, address of record, and any other record that may be created or changed. This notification will be through a voicemail or by USPS mail to the address of record as it was prior to the change.

New customers are exempt from this notification at service initiation.

PROCEDURES TO PROTECT AGAINST PRETEXTING

Pretexting is the practice of pretending to be a particular customer or other authorized person in order to obtain access to that customer's call detail or other private communications record. The Company has employed the above procedures and safeguards in order to achieve reasonable measures designed to discover and protect against pretexting.

Annual Certification

LCTS will certify annually (Form 2) compliance to the CPNI rules. This certification will be filed with the FCC and will be made publicly available by request.

LCTS's annual certification will be signed by an officer as an agent of LCTS, stating that he/she has personal knowledge the company has established operating procedures that are adequate to comply with the FCC CPNI rules.

In addition to the annual certification, LCTS will provide an accompanying statement explaining how the company's procedures ensure the company is or is not in compliance with the FCC's CPNI rules. In the explanation, LCTS will include:

- ☐ the training employees receive to protect CPNI.
- ☐ the disciplinary process applicable to improper disclosure of CPNI.
- ☐ other measures relevant to demonstrate compliance with the FCC's CPNI rules.

Notice of Unauthorized Disclosure of CPNI

LCTS is required by FCC rules to notify law enforcement of any CPNI breaches no later than seven (7) days after a reasonable determination of a breach has occurred. LCTS will send an electronic notification through the central reporting facility to the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI). This notification will include a description of the CPNI that was disclosed, how the breach was discovered, an analysis of the sensitivity of the breached CPNI, and any corrective measures taken to prevent recurrence of such breach.

Responsibility to notify USSS and FBI has been assigned to the President.

NOTIFICATION OF CPNI SECURITY BREACHES

- (1) *Notification of law enforcement agencies* (Form 3). LCTS will notify law enforcement of a breach of its customers' CPNI as stated in this section of LCTS's CPNI manual. LCTS will not notify any of its customers or disclose the breach publicly, whether voluntarily or under state or local law or these rules, until it has completed the process of notifying law enforcement as required and spelled out below.
- (2) *Limitations*. As soon as practicable, but in no event later than seven (7) business day, after reasonable determination of the breach, LCTS shall electronically notify the **United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI)** through a central reporting facility. This will be done through the FCC's link to the reporting facility at <http://www.fcc.gov/eb/cpni>.
 - a) Notwithstanding any state law to the contrary, LCTS shall not notify customers or disclose the breach to the public until 7 full business days have passed after notification to the USSS and the FBI except as in the following two parts of this section.
 - b) If LCTS believes that there is an extraordinarily urgent need to notify any class of affected customers sooner than otherwise allowed under the above paragraph of this section, in order to avoid immediate and irreparable harm, it shall so indicate in its notification and may proceed to immediately notify its affected customers only after consultation with the relevant investigating agency. LCTS shall cooperate with the relevant investigating agency's request to minimize any adverse effects of such customer notification.
 - c) If the relevant investigating agency determines that public disclosure or notice to customers would impede or compromise an ongoing or potential criminal investigation or national security, such agency may direct LCTS not to

disclose or notify for an initial period of up to 30 days. Such period may be extended by the agency as reasonably necessary in the judgment of the agency. If such direction is given, the agency shall notify LCTS when it appears the public disclosure or notice to affected customers will no longer impede or compromise a criminal investigation or national security. The agency shall provide in writing its initial direction to LCTS, any subsequent extension, and any notification that notice will no longer impede or compromise a criminal investigation or national security and such writing shall be contemporaneously logged on the same reporting facility that contains records of notifications filed by carriers.

- (3) *Customer Notification* (Form 4). After LCTS has completed the process of notifying law enforcement as listed above, it shall notify its customers of a breach of those customers' CPNI.
- (4) *Recordkeeping*. LCTS will maintain a record, electronically or in some other manner, of any breaches discovered, notifications made to the USSS and the FBI as defined in the above section of this manual, and all notifications made to customers. This record must include, if available:
 - a) Dates of discovery and notification.
 - b) A detailed description of the CPNI that was the subject of the breach.
 - c) The circumstances of the breach.
 - d) LCTS will retain the record for a minimum of 2 years.
- (5) *Supersede*. This section does not supersede any statute, regulation, order, or interpretation in any State, except to the extent that such statute, regulation, order, or interpretation is inconsistent with the provisions of this section, and then only to the extent of the inconsistency.

SAFEGUARDS BY LCTS

CUSTOMER RECORDS

Customer service records will clearly establish customer CPNI approval. Record of this approval will be kept for a minimum of one year. The record is designed by LCTS's service bureau, Innovative Systems.

All personnel of LCTS will be trained annually or upon commencement of employment regarding CPNI policies. These policies include when the employee is authorized to use and when they are NOT authorized to use CPNI. Any infractions of LCTS's CPNI policies will be reported to the President and a record will be made of the infraction(s) and the disciplinary steps taken.

Discipline for infractions of the policies will be in the form of a letter of reprimand to the employee's file for an initial infraction, two days off without pay for a second infraction, five days off without pay for a third infraction, and termination in the case of a fourth infraction within a twelve month period.

INTERFACE WITH CALEA COMPLIANCE

In order to comply with certain Communications Assistance for Law Enforcement Agencies (CALEA) rules, LCTS has purchased a Solera Box (an intercept device) rather than engage the services of a trusted third party provider. This device precludes the potential for CPNI being obtained by such a third party provider.

INTERFACE WITH CONTRACTORS

LCTS has occasion to utilize contractors for specific projects needed to conduct its business. LCTS requires all its contractors to include the following language in all agreements with LCTS:

"Whereas LCTS is required by law and its company policies to protect the privacy and security of the information regarding its customers,

To the extent that [Name of Contractor], in rendering services for LCTS receives customer proprietary network information, as that term is defined under 47 U.S.C. Section 222 and interpreted by the FCC ("CPNI"), [Name of Contractor] shall maintain the confidentiality of such CPNI according to the policies and procedures implemented by LCTS: [Name of Contractor] shall promptly delete from its records any CPNI that is received by [Name of Contractor] in its engagement with LCTS."

TRAINING OF EMPLOYEES

EMPLOYEE TRAINING

The company provides training to employees on the proper use and disclosure of CPNI. The company also provides written documentation of CPNI policy on the company's internal website.

Emphasis on the company policy that no customer will be subject to marketing based on CPNI data is included as a part of the employee training.

LCTS specific CPNI training will be provided annually and with each newly hired employee. Documentation of training (Form 1) will be kept on file for a period of at least five years.

ANNUAL REVIEW BY COMPANY MANAGEMENT

LCTS treats customer privacy as a serious issue. LCTS is proud of its long history of reliable, trustworthy service and is vigilant in the steps that will be taken to ensure customer privacy. Accordingly, LCTS policy requires this CPNI Policy Manual to be reviewed on an annual basis. This review is conducted at a time set by the President each calendar year. The President's annual review will include, but may not be limited to a review with GVNW Consulting, Inc.